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AF

PATENT
Docket No. CHAR.P0003

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 2, 2004


Vincent Tassinari

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Pooi See Lee

Serial No.: 09/726,903

Filing Date: 11/29/2000

For: METHOD AND APPARATUS FOR
PERFORMING NICKEL
SALICIDATION

Examiner: GARCIA, JOANNIE A

Group Art Unit: 2823

**PETITION FOR EXTENSION OF TIME 37 C.F.R. § 1.136
AND
PETITION TO RESET THE TIME PERIOD FOR RESPONSE
AND
PETITION FOR REFUND OF EXTENSION OF TIME FEE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. PETITION FOR EXTENSION OF TIME 37 CFR § 1.136

Appellant-Petitioner petitions the Assistant Commissioner for Patents under 37 C.F.R. § 1.136, to extend the time for response to the 07/09/2004 Notification of Non-Compliance with Appeal Brief Requirements. Petitioner believes that the extension will extend the time that the response is due from 08/09/2004 to 09/09/2004.

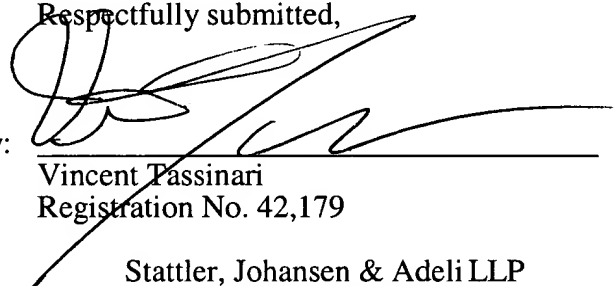
- ☒ A one months extension is requested; the extension fee is \$110.00.
- ☒ A credit card payment form is attached.

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this petition, or to credit any overpayment to **Deposit Account No. 50 1128** referencing docket no. CHAR.P0003.

2. PETITION TO RESET THE TIME PERIOD FOR RESPONSE AND FOR REFUND OF EXTENSION OF TIME FEE

In the 07/09/2004 Notification of Non-Compliance with Appeal Brief Requirements, the examiner was required to provide petitioner with instructions that a response was needed and the time period in which to respond to the 07/09/2004 Notification. The examiner failed to do so. (See attached) Since the 07/09/2004 Notification failed to provide petitioner with any instructions regarding a response and the time period for the response, petitioner requests that the time period to provide a response be reset and that petitioner receive a refund of the above paid \$110.00 extension of time fee.

Dated: September 2, 2004

Respectfully submitted,

By: _____
Vincent Tassinari
Registration No. 42,179

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